VIRGINIA:

IN THE GENERAL DISTRICT COURT OF ARLINGTON COUNTY CIVIL DIVISION

RAM AVRAHAMI Apartment 110 1001 North Randolph Street Arlington, Virginia 22201

Plaintiff,

v.

Civil Action No. 95-7479

U.S. NEWS & WORLD REPORT, INC. 2400 N Street N.W. Washington, D.C. 20037,

Defendant.

MOTION FOR STAY

COMES NOW the defendant U.S. News & World Report, Inc. ("U.S. News"), by counsel, and moves this court for a stay in this proceeding on the grounds set forth below:

1. On or about August 21, 1995, Plaintiff Ram Avrahami commenced this action by filing his Motion for Judgement against Defendant.

2. At the return date of August 21, 1995, a trial date of November 27, 1995 was set.

3. In his Motion for Judgement, Avrahami alleges that U.S. News violated Virginia Code 8.01-40 by renting its mailing lists. U.S. News alleged violation of Virginia Code 8.01-40 is Avrahami's sole cause of action.

4. On October 24, 1995, U.S. News filed a Motion for Declaratory Judgement pursuant to Virginia Code # 8.01-184 in the Circuit Court of Arlington County, Civil Division. That action seeks to determine whether renting of mailing lists violates Virginia Code # 8.01-40. A true copy of the Motion for Declaratory Judgement is attached hereto as Exhibit A.

5. The Circuit Court's decision on the Motion for Declaratory Judgement will be res judicata in this case.

6. In any event, the decision of this Court may be appealed to the Circuit Court de novo.

7. Granting of this Motion to Stay will conserve judicial resources.

WHEREFORE, Defendant U.S. News and World Report, Inc., prays that this Court stay this action pending the outcome of the Motion for Declaratory Judgement in U.S. News & World Report, Inc., v. Ram Avrahami now pending in the Circuit Court of Arlington County, Civil Division.

DATED: October 24, 1995

Respectfully submitted, /s/ David G. Fiske Michael J. Wendorf SHAW, PITTMAN, POTTS & TROWBRIDGE 115 South Union Street Alexandria, Virginia 22314 (703) 739-6650

Attorneys for U.S. News & World Report, Inc.